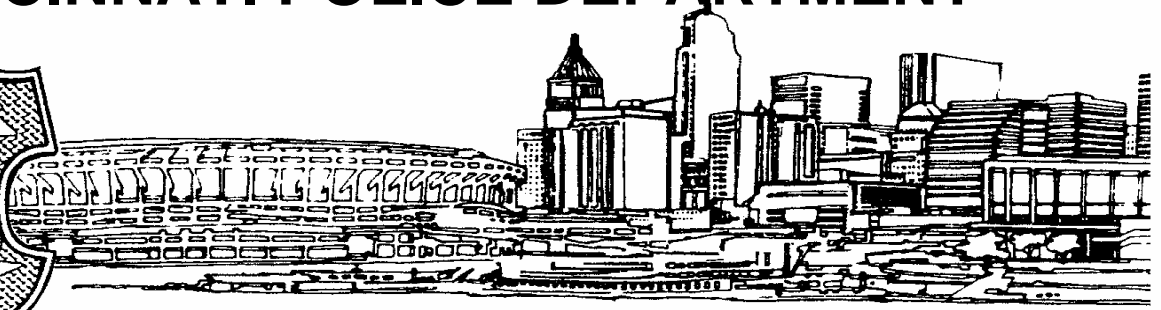


CINCINNATI POLICE DEPARTMENT



STAFF NOTES

Colonel Thomas H. Streicher, Jr., Police Chief
January 27, 2004

<u>ITEM</u>	<u>SUBMITTED BY</u>
1. <u>COURT HOLIDAY - PRESIDENT'S DAY</u>	RECORDS SECTION
2. <u>CHANGES AT EMPLOYEE HEALTH SERVICES (EHS)</u>	PERSONNEL SECTION
3. <u>DONATED TIME FOR CLERK TYPIST II</u> <u>AUDREY ATEs</u>	RECORDS SECTION
4. <u>THANK YOU LETTERS</u>	CHIEF'S OFFICE
5. <u>REVISION OF PROCEDURE 12.025</u> <u>AUTHORIZED WEAPONS</u>	TRAINING SECTION

1. COURT HOLIDAY - PRESIDENT'S DAY

On Monday, February 16, 2004, the Hamilton County Municipal Court will celebrate President's Day Holiday. Room A will be open in the a.m. only, all other courtrooms will be closed.

Police officers are reminded not to issue citations of any type requiring a court appearance on this date.

2. CHANGES AT EMPLOYEE HEALTH SERVICES OFFICE (EHS)

Effective February 1, 2004, the following changes will occur at the Employee Health Services office (EHS):

Dr. Ariff Mehter will become the full-time EHS physician.

Dr. William Kelley will become the part-time EHS physician, assisting Dr. Mehter.

3. DONATED TIME FOR CLERK TYPIST II AUDREY ATEs

Clerk Typist II Audrey Ates, Records Section, has recently undergone several surgeries and has used a significant amount of her vacation and sick time. Ms. Ates' sick and vacation time balances will be depleted on January 22, 2004

Any department member wishing to voluntarily donate time for Ms. Ates should submit a Form 25S to their district/section/unit commander, listing Audrey Ates' name, section, and the kind of time and hours being donated. Sick time may not be donated. The donor's rank and signature must appear on the Form 25S.

4. THANK YOU LETTERS

[Attached](#) to these Staff Notes are several thank you letters written to the Police Chief for the professionalism displayed by numerous officers in our Department.

5. REVISION OF [PROCEDURE 12.025](#), AUTHORIZED WEAPONS

Procedure 12.025, Authorized Weapons, has been revised. A new paragraph was added to the Policy section to comply with

CALEA requirements. Section A.7. refers to the new X26 Taser.

This revision is effective immediately. All personnel are reminded to review this procedure in its entirety. Revised Procedure 12.025 is available on the Intranet and on the Department web page.

Dear Colonial Thomas H. Streicher, Jr.

I am writing to you about the tremendous job Police Officer Allison Norton did on the night of January 17, 2004. My name is Wendy Jodice and I am a registered nurse at University Hospital Emergency Room and the wife of a Cincinnati Police Officer.

On Friday night in the University Hospital emergency room about 2:15 AM a man was brought by his friend into the emergency room shot in the arm. The injured man's friend became very belligerent and began pushing the nurses and doctors and yelling obscenities very loudly. Police Officer Norton was in the other side of the emergency room when she heard and saw the fight between the hospital staff and the man and ran down to assist. Then the man starting fighting full force with Police Officer Norton in the middle of the emergency room. The man went for Police Officer Norton's gun and his hand was on it when a nurse pulled him off the officer and more staff helped subdue him so the officer could get him handcuffed. Officer Norton was very professional and helped the staff of University Hospital from becoming victims to this very violent man. Officer Norton should be commended for her bravery and selfless act to protect the staff of the emergency room at The University Hospital.

Thank you for your attention to this matter and congratulations on a fine officer.

Sincerely,

Wendy I. Jodice RN



January 12, 2004

Cincinnati Police Department
District 1
310 Ezzard Charles Drive
Cincinnati, OH 45214

Attn: Third Shift Supervisor

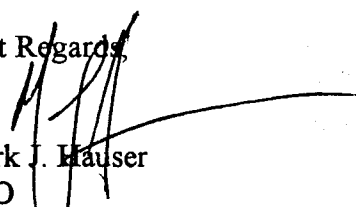
Re: Officer, Carl Blackwell, Jr.

My name is Mark J. Hauser, and I am CEO of The Hauser Group. The Hauser Group is one of the largest insurance brokerage firms in the midwest. I am also participating in the "Leadership Cincinnati" program as a member of the class of 2003 - 2004. Each member of the class is required to spend time within the Cincinnati Police Department. On Wednesday, November 26, 2003, I spent 7 hours riding and participating with Officer Carl Blackwell, Jr. as he performed his duties that evening.

As I share the events of that evening with friends, I find myself repeating the comment about Officer Blackwell's professionalism. During our time together, we experienced "runs" involving minor disturbances to those potentially more serious and volatile. In every instance, Officer Blackwell handled himself in a very professional manner. He is an asset to the city as a law enforcement officer and a public servant.

I thoroughly enjoyed my experience that night. It was one I will never forget. My thanks to the Cincinnati Police Department for allowing me that opportunity and to Officer Blackwell for teaching me how professional police officers perform their duties every day.

Best Regards,


Mark J. Hauser
CEO
The Hauser Group

Cc: Carl Blackwell, Jr.



January 15, 2004

Ms. Valerie A. Lemmie
City Manager
801 Plum Street
Cincinnati, Ohio 45202

Mr. David Pepper
Chair, Law & Public Safety Committee
801 Plum Street
Cincinnati, Ohio 45202

Chief Thomas H. Streicher
Chief of Police
Police Department
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Captain Richard Schmalz
District Four Commander
Police Department
4150 Reading Road
Cincinnati, Ohio 45229

Chief Robert Wright
Cincinnati Fire Department
430 Central Avenue
Cincinnati, Ohio 45202

Gentlemen and Ms. Lemmie:

Roselawn's neighborhood officer, Spec. Charles Dukes, has described for me a recent horrifying crime committed in Roselawn that has resulted in another fine example of Police Department, Fire Department and community cooperation of which you should be aware, for which the residents of Roselawn are grateful and for which the individuals involved should be commended.

On December 9, 2003, Mike Bessmertnyi, a young man in his twenties, Russian speaking and living on Stillwell Avenue in Roselawn, was set on fire in his apartment. He managed to make his way to a neighbor's apartment, and the neighbor took him to the hospital and dropped him off. Mr. Bessmertnyi was critically burned.

Police officers and fire investigators were dispatched. Spec. Dukes met Police Officers Mary Cowan (the lead investigator), Bernard Boddie and James Locke and Fire Department Specialists Gilbert Axle and Paul Alloway. At Spec. Dukes' suggestion, the investigators contacted Rabbi Mendy Kalmanson and Luda Kagan, from the F.R.E.E. Russian Center, who often translate for the police when they need to communicate with Roselawn's Russian immigrants. Ms. Kagan visited Mr. Bessmertnyi at the hospital and, although he had refused to speak to police originally, when Ms. Kagan spoke with him in Russian, Ms. Kagan was able to convince Mr. Bessmertnyi to reveal who had set him on fire. Spec. Dukes, while at the scene of the crime, was discreetly approached by a young woman who quietly told Spec. Dukes who had committed the crime and said that she would cooperate if her cooperation were kept confidential. She later told investigators that she was present at the time of the crime and managed to escape before being set on fire herself. She explained that Mr. Bessmertnyi owed two juveniles \$60.00 for crack cocaine and that he was set on fire when he could not pay.

January 15, 2004

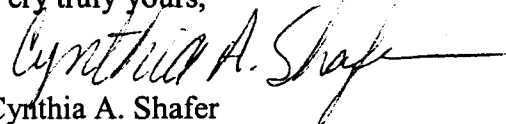
Page 2

The police officers and fire investigators spent most of the day at Mr. Bessmertnyi's apartment building, at which time they discovered the two juveniles still in the building and arrested them. While the police and fire investigators were at the building, the neighbor who had taken Mr. Bessmertnyi to the hospital approached the officers, identified himself and told the officers what he knew. The neighbor had been reluctant to be involved because he had outstanding warrants, but seeing the officers outside the building, and due to the heinous nature of the crime, he decided to do what he could. The owner of the apartment building was also of assistance to the officers over the course of the day.

Spec. Dukes reported that the devotion of the police officers and fire investigators was exceptional and the assistance of the many community members was crucial to making quick arrests. He also reported that as the arrests were being made, neighbors were heard to express appreciation that the culprits had "finally" been caught.

This incident is horrifying and tragic. And what is worse, the police have been led to believe that Mr. Bessmertnyi was only one victim of drug dealers in that area terrorizing vulnerable individuals and taking over their apartments for their drug dealing. We appreciate the efforts of the police officers and the fire investigators, as well as the assistance of our neighbors and the F.R.E.E. Russian Center. We hope that continued cooperation will eliminate this frightening new tactic of the drug dealers in our community.

Very truly yours,



Cynthia A. Shafer
Co-Chair, Law & Safety Committee
723-4009 (phone)
852-7895 (fax)
cashafer@vssp.com



The Downtown Residents' Council

"Living it up Downtown"

January 14, 2004

Lieutenant Steve Wilger
District One
Cincinnati Police Department
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Lieutenant Wilger:

On behalf of the entire Downtown Residents' Council, we send to you and your family our sincere best wishes upon your retirement from the Cincinnati Police Department.

After 33 years serving the people of this great city, including those residing downtown, we want you to know that you will be missed at our regular monthly meetings. We are very grateful for the time and assistance you have offered to members of the Downtown Residents' Council and our neighbors.

Lieutenant, you have been an excellent representative of the Cincinnati Police Department and the City of Cincinnati. We are proud to know you.

On behalf of the Downtown Residents' Council, we congratulate you on your retirement and thank you once more for all you have done to make our city a better place to live.

Sincerely yours,

Niqué Swan
President

Conrad Thiede
Chair, Clean & Safe Committee

copy: Chief Streicher
Captain Whalen



The Downtown Residents' Council

"Living it up Downtown"

January 14, 2004

Sergeant Steve Saunders
District One
Cincinnati Police Department
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Sergeant Saunders:

On behalf of the entire Downtown Residents' Council, we send to you our best wishes as you undertake a new position within the Cincinnati Police Department.

Steve, you have been an excellent representative of the Cincinnati Police Department, the Downtown Services Unit and the City of Cincinnati.

We are very grateful for the time and assistance you have offered to members of the Downtown Residents' Council and our neighbors, whether it be at our regular member meetings, CPOP training, sector meetings, etc. We are proud to know you and we want you to know that you will be missed at our meetings. Please know that the invitation is always open for your attendance at a meeting or social event.

Thank you once more for your time and for all you do to make our city a better place to live. And, congratulations on your new position.

Sincerely yours,

Niqué Swan
President

Conrad Thiede
Chair, Clean & Safe Committee

copy: Chief Streicher
Captain Whalen

12.025 AUTHORIZED WEAPONS

Reference:

Ohio Revised Code 2901.01K - Law Enforcement Officer
Ohio Revised Code 2923.12B - Carrying Concealed
Weapon
Ohio Revised Code 2923.15 - Using Weapons While
Intoxicated
Procedure 12.020 - Uniforms, Related Equipment, and
Personal Grooming

Information:

Police Supply Unit maintains a perpetual record for all Department owned and approved weapons.

Policy:

The Police Department will assign firearms only to sworn employees. With the prior written approval of the City Manager, the Department may assign a firearm to a qualified nonsworn employee.

The Police Department will only dispose of a weapon according to law and purchasing regulations.

While on duty, an officer will carry, or have under his control, only the official Department issued weapons and ammunition or a personally owned firearm and ammunition authorized by the Police Chief. Personnel will carry the firearm as directed in Procedure 12.020, Uniforms, Related Equipment, and Personal Grooming.

All Department personnel authorized to carry lethal and less-than-lethal weapons will be issued copies of and be instructed in Department use of force policies and procedures before being authorized to carry a weapon. Only Department personnel demonstrating proficiency in the use of Department-authorized weapons are permitted to carry those weapons, both on or off-duty.

Each officer must qualify annually with his Department issued firearm and personally owned firearm. With the approval of the Police Chief, the Rangemaster will determine the qualification standards. If an officer fails to qualify during annual qualification he will be relieved of his police powers prior to leaving the target range that day.

Affected personnel will leave their badge, wreath, identification card, and issued firearm and ammunition at the Firearms Training Unit (FTU).

On-duty officers responding to court and off-duty officers responding to court on cases in which they will be compensated by the Department will carry an authorized firearm.

Procedure:

A. Authorized weapons and ammunition:

1. Smith & Wesson semi-automatic pistol, models 3953, 5946, and 6946
 - a. Winchester 9mm Luger, 147 grain subsonic ammunition
2. Any official firearm designated by the Police Chief
3. Remington 870 shotgun
 - a. Winchester 00 buck, 12 gauge, 2 $\frac{3}{4}$ " ammunition
 - b. Winchester 12 gauge slugs, 2 $\frac{3}{4}$ " ammunition
4. Chemical Irritant
 - a. Freeze CS
 - b. Punch II Streamer M-3 OC
5. Monadanock PR-24 (collapsible and non-collapsible)
6. Remington 870 shotgun with Deftech drag-stabilized DS23 beanbag rounds
7. Taser International X26 Taser and Taser International cartridges.
8. Deftech 40MM foam round launcher with Deftech 40MM foam rounds
9. Deftech Pepperball Launcher with Deftech .5 OC Pepperball rounds
10. Authorized SWAT Tactical weapons and ammunition are listed in the SWAT S.O.P.

B. Issuance of firearms

1. Generally, the model 5946 semi-automatic pistol will be issued to all officers.
2. The model 6946 semi-automatic pistol may be issued to and carried by:
 - a. Captains and above
 - b. Officers assigned to staff positions
 - c. Personnel assigned to a plainclothes or investigative assignment
 - d. Personnel designated by the Police Chief
3. The model 3953 semi-automatic pistol may be issued to and carried by:
 - a. Captains and above
 - b. Personnel designated by the Police Chief

C. Plainclothes officers

1. Plainclothes officers will carry the firearm so it is secure and consistent with their assignment and dress.
2. Upon change of duty assignment from plainclothes to uniform, the officer must contact the Firearms Training Unit within five (5) days to schedule training for transition back to the model 5946.

D. Annual Qualification

1. If an officer fails to qualify, the FTU will do the following:
 - a. Relieve the officer of his police powers and equipment.
 - 1) The officer must report to Criminalistics Squad during his next scheduled working day to obtain a temporary ID card.
 - b. Notify the officer's unit of assignment of his duty status and the date for further training and testing.

- 1) Officers who are required to work prior to the training and testing date must be assigned duties consistent with their duty status.
 - c. Notify Personnel Section of the officer's duty status.
 - d. Store the officer's equipment in the FTU armory pending successful qualification.
 - e. Schedule the officer for additional training and testing.
 - 1) Officers will be scheduled for additional training and testing the following Monday.
 - f. Restore the officer's police powers and return his equipment upon successful qualification.
 - 1) Collect and destroy the temporary identification card.
 - g. Notify the officer's unit of assignment and Personnel Section upon successful qualification.
 2. Officers relieved of their police powers must notify the affected detail coordinator if they are scheduled for any outside employment prior to additional training and testing.
- E. Carrying a Firearm Off-Duty:
1. Carrying a firearm off-duty is optional.
 2. Ohio Revised Code §2923.15 prohibits carrying firearms while under the influence of alcohol or any drug of abuse.
 - a. Law enforcement officers are not exempt from the prohibition.
 3. Off-duty personnel may carry the official Department issued firearm, or an authorized personally owned firearm.
 - a. An authorized personally owned firearm must meet the conditions described in section F. of this procedure.

4. Off-duty officers, not in uniform, who choose to carry a firearm, will conceal the firearm on their person.

F. Conditions for Carrying a Personally Owned Firearm:

1. The Rangemaster must approve all personally owned firearms.
2. The Police Department must approve, in writing, ammunition used in authorized personal firearms.
3. Authorization must be renewed upon assignment change.
4. Officers in special duty assignments may request permission to carry a personally owned firearm on duty, other than the models specified below. If permission is granted, these officers may also carry the same firearm off duty.
5. The Police Chief will give final written approval to carry a personally owned firearm. Unless otherwise specified, only the following firearms will be approved:
 - a. 9mm semi-automatic Smith & Wesson traditional double action pistols: Models 439, 459, 469, 539, 559, 639, 659, 669, 3904, 3906, 3913, 3914, 5903, 5904, 5906, 6904, 6906, 908, 909, 910, 915, and CS9.
 - b. 9mm semi-automatic Smith & Wesson double action only pistols: Models 3953, 3953TSW, 3954, 5943, 5944, 5946, 6944, 6946, and CS9.

G. Approval Process for Carrying a Personally Owned Firearm in an On or Off-Duty Only Status:

1. Each officer responding to the Firearms Training Unit for qualification will present the following unloaded firearm(s) to the Rangemaster:
 - a. Official Department issued firearm
 - b. The personally owned firearm he requests authorization to carry on or off-duty

2. The Rangemaster will inspect all firearms for safety and compliance with section F.5. of this procedure.
3. The Rangemaster will complete a Personal Firearm Approval Request (Form PSA-17) for each firearm an officer requests authorization to carry.
 - a. The Form PSA-17 will include a description of the firearm, the officer's qualification results, the date and signature of the Rangemaster.
 - b. The Rangemaster will forward the completed Form PSA-17 to the Training Section Commander for processing.
4. The Form PSA-17 will be used as the Police Department's written authorization for the on and off-duty use of a personally owned firearm and approved ammunition.
5. When an officer qualifies and approval is granted:
 - a. Training Section will forward the Form PSA-17 to the officer's district/section/unit commander for approval, retaining a control copy.
 - b. The district/section/unit commander will forward the Form PSA-17 to the respective bureau commander for review and approval.
 - c. Upon review and approval, the bureau commander will submit the Form PSA-17 to the Police Chief.
 - d. If approval is granted, the Police Chief will sign and date the Form PSA-17 and forward it to Training Section.
 - e. Training Section will retain the original Form PSA-17 and send one copy to the requesting officer.
6. When approval is not granted:
 - a. Training Section will retain Form PSA-17 and send a duplicate copy of the form to the officer's district/section/unit commander.

- b. The district/section/unit commander will ensure the officer is notified of the disapproval and arrange for additional training as required.

H. Removal of Unsafe Weapons

1. Notify a supervisor whenever an authorized, issued weapon is found to be unsafe or in need of repair.
2. Issue a replacement weapon until the original is returned or permanently removed from service.
3. Repairs/replacements are provided by the following units or sections:
 - a. Firearms Training Unit: Semi-automatic pistol, shotgun, beanbag shotgun, 40 mm foam launcher, and all SWAT weapons
 - b. Tactical Planning Section: Pepperball launcher
 - c. Supply Unit: Chemical irritant, PR-24, and taser
 - d. After normal working hours: CIS has semi-automatic pistols and chemical irritant